REMARKS

Reconsideration of the subject application as amended herein is respectfully requested. The claims have been amended to provide proper antecedent basis for various terms. In addition, some of the claims have been amended to read on generic devices capable of Internet communication, rather then PCs since obviously the invention can be practiced on any such devices.

The Examiner has rejected the claims as being obvious in view of the Mozilla article in combination with the Vaudreuil reference. The Applicants respectfully traverse these rejections. The Mozilla article discusses a prospective Instant Messaging (IM) and chat project "with the stated goal of supporting a wide variety of chat protocols" (lines 1-2). Note in particular the statements that " Mozilla ... is charged to develop the Communicator browser code' (lines 7-10); " ...why the company would risk undermining such a valuable franchise" (lines 20-23); "Mozilla will base its support on its Instant Messaging application programming interface (API)" (lines 25-27); "We would like to make Mozilla be able to do chatting and 'instant messaging' " (lines 29-30); "We would like Mozilla to be able to usefully talk to all of these protocols, and hide most of the differences from the user" (lines 33-35). When taken together, these statements all indicate that at the time the article was published, the project appeared to be in a development stage. There is nothing to indicate whether the project was ever finished or whether it was ever able to perform the desired functions.

The Examiner states that the Mozilla article "shows substantial features of the claimed invention." In fact, clearly, the cited article merely describes the desired features of some future project. However, the article fails to disclose a system capable of performing

these functions and is, in fact, nothing more than a recitation of what these functions should be.

The Vaudreuil reference discloses a system in which a communication system is capable of communicating with other systems using different protocols, the described system including a media translator. The Applicants note for the record that there is nothing in this reference that pertains to instant messaging (IM).

The Examiner states that a person skilled in the art would know how to modify the system described in the Mozilla article to obtain the invention claimed herein. However, as indicated above, the Mozilla article fails to disclose any system for performing IM. The Vaudreuil reference fails to even mention any IM function and hence it is not seen how these references could be combined at all.

Furthermore, the Applicants submit that each of the pending claims provide an apparatus having specific elements or steps which are not disclosed by the references. For example, claim 1 recites a system with IM manager and an IM server. There is nothing in the references disclosing either of these elements. Claim 6 recites a system with an IM component and an IM data base. The references do not disclose these elements. Claim 7 recites the IM data base is incorporated in an SP, while claim 8 recites that the IM data base is incorporated into a separate SP. There is nothing in the references disclosing these features. The method claims contain similar features.

It is respectfully submitted that, since the primary reference merely discloses some future system with some idea functions and no implementation details and since the secondary reference has nothing to do with IM functions, the Examiner has failed to make out a prima facie case of obviousness, and accordingly, the application should be allowed.

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The request for a new declaration has been noted and a new declaration will be submitted as soon as possible.

The Commissioner is authorized to use Deposit Account No. 07-1730 for any fees that may be required including fees for extensions. This is a continuing request.

Dated: July 12, 2002
New York, New York

Respectfully submitted,

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CLAIMS WITH CORRECTIONS

6 (Amended). A system for establishing instant messaging between a first user associated with a first realm and a second user associated with a second realm over the Internet, said system comprising:

a first and a second [PC] <u>device</u> for operation by said first and second users respectively, each [PC] <u>device</u> including a screen to display information, a selector or other input device for giving and receiving commands and selections, a communication port arranged to communicate with other users over the Internet, and an IM component arranged to establish IM sessions during which said first and second users can exchange one of instant messages and other information over the Internet, said IM component including means for receiving a request for an IM session and means for generating a request for said IM session; said IM component including an IM database storing a protocol for the other realm; and

an IM database arranged to store a list of users registered to access instant messaging and being currently active together with their current IP address;

wherein said IM component is arranged to receive a command from said first user to establish said IM session with said second user and in response to said request said IM component is arranged to obtain the current IP address of said second user and to send an access request to said second user based on said IP address and said protocol and to establish said IM session if said access <u>request</u> is accepted.

Cancel claim 9.

10 (Amended). The system of claim 6 wherein each said <u>first and second device</u> is arranged to display a window on said screen, said window identifying a list of friends of the corresponding user, said friends being currently on line.

11 (Amended). The system of claim 10 wherein said [PC] <u>first device</u> is adapted to display a message area in one of said window and a separate window.

12 (Amended). The system of claim 11 wherein <u>each</u> said [PC] <u>device</u> is adapted to receive commands from the respective user to establish a first IM session between said first user and said second user and a second IM session between said first user and a third user, said third user being identified in said window.

13 (Amended). The system of claim [13] <u>12</u> wherein said [PC] <u>first device</u> is adapted to allow said first user to switch between said first IM session and said second <u>IM</u> session, said first and second IM sessions being active simultaneously.

14 (Amended). The system of claim 13 wherein said [PC] <u>first device</u> is adapted to display in said message area messages with said second user during said first IM session and messages with said third user during said second IM session.

15 (Amended). The system of claim 10 wherein said [PC] <u>first device</u> is adapted to show characteristics of said friends.

16 (Amended). A method of conducting an instant messaging session between a first user and a second user over the Internet, the users being associated with two different realms, each realm being accessible via the Internet using a protocol characteristic to the realm, each user getting access to the Internet via a [corresponding PC] respective first and second device , at least one [PC] device having a storage media for storing the characteristic protocol of the other realm, the method comprising the steps of:

determining a current IP address of the second user; and

establishing a connection from said first and second users using said current IP address and said characteristic protocol.

17 (Amended). The method of claim 16 wherein each time one of said first and second users access the Internet, the corresponding [PC] device sends a message to an IM database indicating that the corresponding user is on line and said current IP address.

19 (Amended). The method of claim 17 further comprising sending a connection request from the first to the second [PC] device for establishing said instant message session.

20 (Amended). The method of claim 19 further comprising generating a response to said connection request by said second [PC] device accepting said connection request.

22 (Amended). The method of claim 16 further comprising displaying a window on the screen of said [PCs] first and second devices, said window indicating a list of active users.